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6 Attorneys for Defendant,  
*Albertson's LLC*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

IVY FISHEL, an individual, ) Case No. 2:18-CV-01301-APG-CWH  
Plaintiff, )  
vs. )  
ALBERTSON'S, LLC, a Delaware Limited )  
Liability Company; and DOES 1-10, )  
inclusive, )  
Defendants. )

**STIPULATION AND ORDER FOR DEFENDANT ALBERTSON'S LLC ADMISSION TO  
LIABILITY AS TO DUTY AND BREACH**

Pursuant to FRCP 16(c)(2)(C), Defendant Albertson's LLC ("ALBERTSON'S"), by and through its counsel of record, Jack P. Burden, Esq. of the law firm Backus, Carranza & Burden, and Plaintiff IVY FISHEL ("FISHEL"), by and through her counsel of record Wetherall Group, Ltd., hereby stipulate as follows:

1. Albertson's hereby admits liability as to duty and breach, but not causation, as regards the subject incident. Specifically, Albertson's admits that it had a duty to maintain the subject premises in a reasonably safe condition. Albertson's admits that it had constructive notice of an unsafe condition and failed to warn Plaintiff. Albertson's makes no admission that Plaintiff's claimed injuries were caused by the resulting slip and fall at issue.

- 1       2. Fishel may introduce liability evidence at trial only to establish causation and  
2 damages.  
3       3. Both parties may utilize all relevant records, including but not limited to medical  
4 records, expert reports, etc., pertaining to causation and damages.  
5       5. The Court will exclude evidence strictly related to liability at the time of trial but  
6 will allow evidence relating to factual issues in dispute relating to causation and damages.  
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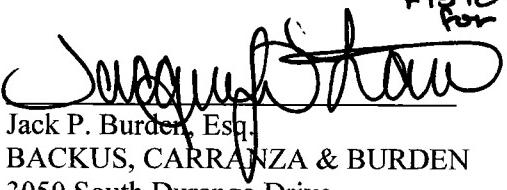
8       6. In consideration of this instant stipulation admitting liability as to duty and breach,  
9 the parties agree that no further affirmative defenses will be sought and/or amendment to said  
10 Complaint.

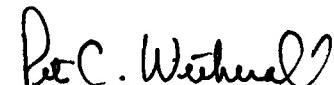
11 DATED: 12/12/18

DATED: 12/16/18

13 Backus, Carranza & Burden

13 Wetherall Group, Ltd.,

14   
15 #134824  
16 Jack P. Burden, Esq.  
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22 ALBERTSON'S LLC

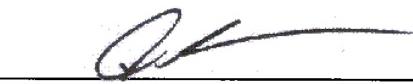


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WETHERALL GROUP, LTD.  
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Attorney for Plaintiff  
IVY FISHEL

22 **ORDER**

23 IT IS SO ORDERED.

24 Dated: December 13, 2018.

25   
26  
27 UNITED STATES DISTRICT JUDGE  
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